

State of Utah  
Administrative Rule Analysis

## NOTICE OF PROPOSED RULE OR CHANGE

The agency identified below in box 1 provides notice of proposed rule or change pursuant to Utah Code Subsections 63-46a-4(2) and (4). Please address questions regarding information on this notice to the agency. The full text of all rule filings is published in the *Utah State Bulletin* unless excluded because of space constraints. The full text of all rule filings may also be inspected at the Division of Administrative Rules.

<b>State of Utah</b> Division of Administrative Rules (DAR) 4120 State Office Building; 450 North Main PO Box 141007 Salt Lake City, UT 84114-1007 Phone: (801) 538-3218, FAX: (801) 538-1773 State E-mail: <a href="mailto:asdomain.asitmain.rules">asdomain.asitmain.rules</a>	<b>DAR file no.:</b> <hr/> <b>Utah Admin. Code ref. (R no.):</b> R317-6 <hr/> <b>Date filed:</b> <hr/> <b>Time filed:</b> <hr/> <b>Received by:</b> <hr/>
<p>1. Department: Environmental Quality Agency: Water Quality Room no., building: Cannon Health Building Street address: 288 North 1460 West Mailing address: PO Box 144870 City, state ZIP: Salt Lake City, UT 84114-4870 Contact person: Larry Mize Telephone: (801) 538-6146 FAX: (801) 538-6016 Internet E-mail: <a href="mailto:lmize@deq.state.ut.us">lmize@deq.state.ut.us</a></p> <p style="text-align: center;">(Interested persons may inspect this filing at the above address or at DAR between 8:00 a.m. and 5:00 p.m. on business days.)</p>	
2. Title of rule or section (catchline): Ground Water Quality Protection	
3. Type of notice: Proposed rules <input type="checkbox"/> New <input checked="" type="checkbox"/> Amendment <input type="checkbox"/> Repeal <input type="checkbox"/> Repeal and reenact	
Other rule types <input type="checkbox"/> Change in proposed rule (changes original proposed rule file no.: <input type="text"/> )	
4. Purpose of the rule or reason for the change: These proposed changes encompass editorial changes for clarity, new ground water quality standards, administrative procedure modifications, and updating references to new codes and guidance documents. Most of the changes are the results of activities that have occurred in the ground water protection arena since the last major modification of the rules of this type in 1994.	
5. This rule or change is a response to comments by the Administrative Rules Review Committee. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
6. Summary of the rule or change:	

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The proposed amendment updates the ground water standards listed in Table 1 to include new parameters that have had new primary or secondary maximum contaminant levels (MCL's) enacted under the Safe Drinking Water Act since the last ground water protection rule revision.

The proposed amendment would change the "permit by rule" section of the rules for agricultural facilities in R317-6-6.2.A.17. The new language would eliminate the permit by rule provisions for the volume criteria for the 4 million gallon lagoons and go to a strict animal unit numbers only criteria.

References to guidance documents and CFR dates are being updated to the most current versions.

The "probable out of compliance" criteria has been modified so that when a protection level is exceeded, the permittee only has to go to monthly monitoring when the results exceed both the protection level and the two standard deviation criteria.

7. Aggregate anticipated cost or savings to:

State budget: None. The proposed changes will be addressed using existing staff and resources.

Local government: None. The proposed changes do not expand the regulated community above that which is already covered under the existing rule.

Other persons: None. The proposed rules apply to the same group as the existing rules, so there are no new compliance costs.

8. Compliance costs for affected persons ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):

No significant increases in compliance cost are anticipated as a result of the proposed amendments. The proposed rules apply to the same group as the existing rules, so there are no new compliance costs. The majority of the changes either update references or clarify existing application of the rule.

9. Comments by the department head on the fiscal impact the rule may have on businesses:

The proposed changes do not expand the regulated community above that which is already covered under the existing rule.

10. This rule or change is authorized or mandated by state law, and implements or interprets the following state and federal laws.

State code or constitution citations (required): Section 19-5-104

Federal citations (optional):

11. This rule or change adds or updates an incorporated reference (submit a copy to DAR):

☐ Yes ☒ No

Reference title and date of issue or edition:

12. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the *Utah State Bulletin*. See Section 63-46a-5 and Rule R15-1 for more information.)

Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy): 10/5/2001

A public hearing (optional) will be held on (mm/dd/yyyy): 9/20/2001

at (time): 9:00 am

at (place): Cannon Health Building  
Room 125  
288 N 1460 W  
SLC, UT

13. This rule or change may become effective on (mm/dd/yyyy): 12/31/2001

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14. Indexing information - keywords (maximum of four, in lower case):

water quality, ground water

15. Indexing information - affected industries (two-digit SIC codes):

2,10,12,13,14,39,55,

16. Attach a WordPerfect document containing the text of this rule or change (filename):

R317-5\_6-21-01.txt

**To the agency:** Information requested on this form is required by Sections 63-46a-4, 5, 6, and 10. Incomplete forms may be returned to the agency for completion, possibly delaying publication in the *Utah State Bulletin*, and delaying the first possible effective date.

### AGENCY AUTHORIZATION

Agency head or designee,  
and title:

Dianne R. Nielson Director, DEQ

Date  
(mm/dd/yyyy):

8/14/01